

SEP. 15. 2006 1:34PM

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NO. 9120 P. 1

1390 (Rev. 1-2005)

Approved for use through 3/31/2007. OMB 0851-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> 06180/LH	
<b>INTERNATIONAL APPLICATION NO.</b> PCT/JP2004/016102		<b>INTERNATIONAL FILING DATE</b> 29 OCTOBER 2004	
<b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b> 10/577,864		<b>PRIORITY DATE CLAIMED</b> 29 OCTOBER 2003	
<b>TITLE OF INVENTION</b> CRUSHING APPARATUS		<b>RECEIVED</b> CENTRAL FAX CENTER	
<b>APPLICANT(S) FOR DO/EO/US</b> UMEDA, Hiroyuki; NAKASHIMA, Gosuke; YOSHIDA Noriyuki		<b>SEP 15 2006</b>	

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☐ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☐ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.826.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
- ☐ Other items or information:

Preliminary Amendment II (3 pages)

CERTIFICATE OF FACSIMILE TRANSMISSION TO NO. 1-571-273-8300

TOTAL PAGES: 6 I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date noted below: September 15, 2006 in the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/577,864		PCT/JP2004/016102		06180/LH	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee..... \$300				\$	
22. <input type="checkbox"/> Examination fee if international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-1378</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the international Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
CUSTOMER NO. 01933					
Leonard Holtz					
Frishauf, Holtz, Goodman & Chick P.C.					
220 5TH AVE FL 16					
NEW YORK NY 10001-7708					
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				NAME	Leonard Holtz
				REGISTRATION NUMBER	22,974

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**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): Hiroyuki UMEDA, et al.

Serial No. : 10/577,864

Confirm. No.: 2234

Docket No. : 06180/LH

Customer No.: 01933

Filed : April 28, 2006

For : CRUSHING APPARATUS

Art Unit :

Examiner :

CERTIFICATE OF FACSIMILE  
TRANSMISSION  
TO NO. 1-571-273-8300

TOTAL PAGES: 5

I hereby certify that this paper is being  
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Commissioner for Patents, P.O. Box  
1450, Alexandria, Virginia 22313-  
1450

on the date noted below

  
Diane J. Hagstrom

Dated: September 15, 2006

In the event that this Paper is late filed,  
and the necessary petition for extension  
of time is not filed concurrently  
herewith, please consider this as a  
Petition for the requisite extension of  
time, and to the extent not tendered by  
credit card payment, authorization to  
charge the extension fee, or any other  
fee required in connection with this  
Paper to Account No. 06-1378.

**PRELIMINARY AMENDMENT II**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

Please amend the above identified application as follows.

**Amendments to the Specification** are set forth on page 2 of  
this paper.

**Remarks** are set forth on page 3 of this paper.